



BAC #5
Patent
264/217
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

MARKUS SCHWEITZER et al.

Serial No.: 09/910,469

Filed: July 19, 2001

For: SORTING AND IMMOBILIZATION
SYSTEM FOR NUCLEIC ACIDS USING
SYNTHETIC BINDING SYSTEMS

Group Art Unit: 1645

Examiner: Not yet assigned

RECEIVED
AUG 15 2002
OFFICE OF PETITIONS

**NOTICE OF LACK OF ENTITLEMENT TO SMALL ENTITY STATUS
AND PAYMENT OF DEFICIENCY UNDER 37 C.F.R. §1.28(C)**

Box FEE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant hereby notifies the Patent Office that it is not entitled to status as a small entity,
and that the claim for small entity status set forth in the verified statement filed in the above
application is hereby withdrawn. Applicants moreover notify the Patent Office that status as a small
entity was established in error without any deceptive intent.

Adjustment date: 08/15/2002 AWONDAF1
12/13/2001 SSESHE1 00000118 09910469

01 FC:201	-370.00 OP
02 FC:204	-140.00 OP
03 FC:205	-65.00 OP
04 FC:203	-3132.00 OP
05 FC:202	-168.00 OP

08/15/2002 AWONDAF1 00000089 122475 09910469

01 FC:101	740.00 OP
02 FC:105	130.00 OP
03 FC:104	280.00 OP
04 FC:103	3539.00 CH
05 FC:102	336.00 CH

OC-115322.1

CERTIFICATE OF MAILING (37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

August 7, 2002
Date of Deposit

Mary L. Smith
Mary L. Smith

Accordingly, correction of improper payment is being made herewith, as follows:

<u>Date Sent</u>	<u>Document</u>	<u>Fee Paid</u>	<u>Proper Fee</u>	<u>Deficiency</u>
10/18/01	Transmittal of Missing Parts			
	– Filing Fee	\$ 370.00	\$ 740.00	\$ 370.00
	– Surcharge Fee	65.00	130.00	65.00
	– Excess claims	3,300.00	6,600.00	3,300.00
	– Multiple dependent claim(s)	140.00	280.00	<u>140.00</u>
				\$3,875.00

Applicants hereby authorize the Commissioner to charge Deposit Account No. 12-2475 the amount of \$3,875.00 to cover the deficiency in payment of the fees in reference to the above case.

The Commissioner is hereby authorized to charge any additional fees that may be required to Deposit Account No. 12-2475.

Respectfully submitted,

LYON & LYON LLP

Dated: August 6, 2002

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